

REMARKS/ARGUMENTS

Claims 20-22 and 24-37 are pending in this application. Claims 20-37 stand rejected. By this amendment, claims 20, 22, 24 and 27 are amended. Claim 23 is canceled without prejudice or disclaimer. In light of the amendments and remarks set forth below, applicants respectfully submit that claims will be in condition for immediate allowance.

Claims 20-37 stand rejected under 35 USC § 112, second paragraph as being indefinite for failing to particularly to point out and distinctly claim the subject matter of the invention. Claims 20, 22, 24 and 27 have been amended in consideration as the Examiner's comments. Rejection under 35 USC §112, second of claims 20, 22, 24 and 27 should be withdrawn.

Claims 20-24, 26-28, and 30-35 stand rejected under 35 USC § 102(b) as being anticipated by U.S. Patent No. 5,426,589 ("Kitagawa"). Applicants respectfully traverse this rejection.

Among the limitations of independent claim 20 not present in Kitigawa is "a data mask that carries out prioritization, filtering, and normalization of different data formats". As disclosed in the present specification, filter 9 comprises a data mask which prioritizes the data from modules 1-8. The filter also adapts and filters the data with respect to data format. Information is assessed and weighed in advance by filter 9 based on importance of the data with respect to the driver, road way, vehicle, energy sources, energy sinks, and the like, to achieve a processing time in logic module 12 that is as short as possible. (See Specification as filed, P. 11, ll. 24-31).

The Examiner asserts that the above-recited feature is disclosed in Kitigawa at col. 3, ll. 3-49. Applicants respectfully disagree. The cited portion of Kitigawa fails to disclose a data mask that carries out a prioritization, filtering and normalization of different data formats. There is no

disclosure that different data formats are present nor that there is any filtering of different data formats. Further, there's no disclosure of prioritization.

Kitigawa discloses a method for enabling and restricting electrical loads in an electric vehicle based on a desired attainable travel distance and a depth of discharge of a battery. More specifically Kitigawa discloses, *inter alia*, different categorization of devices that must remain activated and devices that can be deactivated depending at least on the desired running distance and depth of discharge of the battery. However, the prioritization of activation and deactivation of components in Kitigawa relates to operating safety, not processing time in a logic module as disclosed in the present specification. Thus, claim 20, as amended, is allowable.

Likewise, claim 27 has been amended to explicitly recite that the data mask carries out prioritization of different data formats and is therefore allowable for the same reason as claim 20 discussed above.

Claims 21, 22 and 24-26 depend from, and contain all the limitations of claim 20. Claims 28-37 depend from and contain all the limitations of claim 27. These dependent claims also recite additional limitations, which, in combination of the independent claims from which they depend, are neither disclosed nor suggested by Kitigawa for any of these cited secondary references and are directed toward patentable subject matter. Therefore all of the pending claims should be allowed.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,
COHEN PONTANI LIEBERMAN & PAVANE LLP

By /Alfred W. Froebrich/
Alfred W. Froebrich
Reg. No. 38,887
551 Fifth Avenue, Suite 1210
New York, New York 10176
(212) 687-2770

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